

**Association of Massachusetts Wetland Scientists**  
**109 Whitney Street**  
**Northborough, MA 01532-1429**  
**508/523-2053    [www.amws.org](http://www.amws.org)**

April 3, 2012

*By Email and U.S. Mail*

Ms. Kathleen Baskin, Director  
Water Policy & Planning  
Executive Office of Energy & Environmental Affairs  
100 Cambridge St., #900  
Boston, MA 02114

Dear Ms. Baskin:

Thank you for the opportunity to comment on the proposed Massachusetts Sustainable Water Management Initiative (SWMI). The Association of Massachusetts Wetland Scientists (AMWS) includes over 250 wetland professionals with diverse expertise in wetland functional analysis, mitigation planning, delineation, plant propagation and regulatory policy. We are the “ground troops” for implementation of Massachusetts water and wetland policies. As such, it is regrettable that we were not invited to participate as a stakeholder group in the SWMI development process over the last two years. We respectfully request inclusion in future similar technical advisory processes. For perspective, AMWS members are comprised of fluvial geomorphologists, professional wetland scientists, soil scientists, biologists, geologists, hydrologists, engineers, ecologists, regulatory experts and environmental attorneys. Collectively our membership brings substantial expertise and real world experiences to the table--particularly on science-based regulatory issues pertaining to wetlands, rivers and streams, and wildlife habitat.

AMWS considers a strong SWMI to be more important than even the seminal Massachusetts Rivers Protection Act because properly conceived regulations can preserve vital habitat that would otherwise be lost to improper water withdrawal. *AMWS believes that SWMI, as proposed, requires additional safeguards.* In very general terms we list below the positive and negative factors that influenced our evaluation:

Positive:

(1) The stream flow classification system developed by USGS, et al., applies a scientific basis for decision-making.

Negative:

(1) Safe Yield is discretionary, and not guaranteed.

(2) There is no provision for like-kind habitat protection, i.e., mitigation should protect affected species, not provide a new, unrelated benefit.

(3) Redundant wells are not subject to SWMI requirements.

(4) Proposed reservoir credits are insufficient to protect the ecological integrity of all waterways.

(5) There is a lack of enforceable regulation on water conservation.

*In conclusion, AMWS does not find the proposed SWMI regulations to sufficiently protect the ecological value of rivers. Our opinion is that there are insufficient guarantees to guard rivers and their habitat, and far too many discretionary provisions that may be subject to the influence of outside interests.*

Thank you for your consideration of our comments. We would welcome the opportunity to discuss these comments in further detail at your convenience. Should you have questions, please feel free to contact me at 978/929-9058 or [butler@oxbowassociates.com](mailto:butler@oxbowassociates.com).

Sincerely,

Brian Butler, President